

UNITED STATES BANKRUPTCY COURT
District of New Jersey

Caption in Compliance with D.N.J. LBR 9004-1(b)

Albert Russo
Cn 4853
Trenton, NJ 08650
(609) 587-6888

In re:

Jorge E. Nieves, Jr.

Debtor(s)



Order Filed on June 23, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 17-12247 / KCF

Hearing Date: 06/14/2017

Judge: Kathryn C. Ferguson

Chapter: 13

ORDER CONFIRMING CHAPTER 13 PLAN

The relief set forth on the following pages, numbered two (2) through four (4) is **ORDERED**.

DATED: June 23, 2017


Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

The plan of the debtor having been proposed to creditors, and a hearing having been held on the confirmation of such plan, and it appearing that the applicable provisions of the Bankruptcy Code have been complied with; and for good cause shown, it is

ORDERED that the plan of the above named debtor, dated 02/05/2017, or the last amended plan of the debtor be and it is hereby confirmed. The Standing Trustee shall make payments in accordance with 11 U.S.C. § 1326 with funds received from the debtor.

ORDERED that the plan of the debtor is confirmed to pay the Standing Trustee for a period of 60 months.

ORDERED that the debtor shall pay the Standing Trustee, Albert Russo, based upon the following schedule, which payments shall include commission and expenses of the Standing Trustee in accordance with 28 U.S.C. § 586:

\$541.04 PAID TO DATE

\$135.01 for 56 months beginning 07/01/2017

The balance of the plan shall be paid by the debtor(s) non-exempt proceeds from a Personal Injury lawsuit and/or Workers Compensation case.

ORDERED that the case is confirmed at 100%, which includes a minimum of \$97,832.00 dividend to general unsecured creditors due to non-exempt equity in property.

ORDERED that the Standing Trustee shall be authorized to submit, ex-parte, an Amended Confirming Order, if required, subsequent to the passage of the claims bar date(s) provided under Fed. R. Bank. P. 3002.

ORDERED that the debtor's attorney be and hereby is allowed a fee pursuant to the filed 2016(b) Statement. Any unpaid balance of the allowed fee shall be paid to said attorney through the Chapter 13 plan by the Standing Trustee.

ORDERED that if the debtor should fail to make plan payments or fail to comply with other plan provisions for a period of more than 30 days, the Standing Trustee may file, with the Court and serve upon the Debtor and Debtor's Counsel, a Certification of Non-Receipt of Payment and request that the debtor's case be dismissed. The debtor shall have fourteen (14) days within which to file with the Court and serve upon the Trustee a written objection to such Certification.

ORDERED that upon completion of the plan, affected secured creditors shall take all steps necessary to remove of record any lien or portion of any lien discharged.

ORDERED that the Standing Trustee is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. § 1305(a).

ORDERED that the debtor(s) must keep the Standing Trustee updated with the status of the debtor(s) personal injury claim, and any non-exempt proceeds of said claim shall be paid to the Trustee for the benefit of creditors.

ORDERED that the debtor(s) must keep the Standing Trustee updated with the status of the debtor(s) pending lawsuit, and any non-exempt proceeds from said lawsuit shall be paid to the Trustee for the benefit of creditors.

LAWSUIT DETAILS: Workers Compensation

ORDERED that the debtor(s) is to complete a sale or refinance of property located at 202 Perry Street by February 14, 2018, and any non-exempt proceeds of said sale or refinance shall be paid to the Trustee for the benefit of creditors.

ORDERED that the debtor(s) must obtain a loan modification by September 1, 2017 or as extended by Loss Mitigation Order.

- Creditor The Bank of New York Mellon c/o Ditech Financial, PACER claim #10-1, will be paid outside of the Chapter 13 Plan.

ORDERED that the claim of Internal Revenue Service, court claim #2-2, will be paid as if in the plan, and the Trustee is authorized to pay such claim.

ORDERED as follows:

In addition to the payments set forth above, the debtor(s) shall remit any non-exempt proceeds from the sale or refinance of 202 Perry Street to the Chapter 13 Trustee.

Amended Schedule C removing D(1) exemption on rental property shall be filed by July 31, 2017.

Both Modified Plans filed June 13, 2017, docket #33 and #34, shall be withdrawn by July 31, 2017.